

REMARKS

Reconsideration of this application, as presently amended, is respectfully requested. Claims 3, 5, 7, 9 and 11 are pending in this application, claims 1-2, 4, 6, 8, 10 and 12-18 having been cancelled by the present Amendment. Claim 1 was rejected. Claims 3 and 5 were objected to as being dependent upon a rejected base claim, but were indicated to be allowable if rewritten or amended in independent form including all of the limitations of the base claim and any intervening claims. Claims 2, 4 and 6-18 were withdrawn from consideration as being directed to a non-elected invention.

Claim 3 has been rewritten in independent form to include all of the limitations of base claim 1. Claim 5 has also been rewritten in independent form to include all of the limitations of base claim 1. Accordingly, claims 3 and 5 are now in condition for allowance.

Further, it is submitted that claims 7, 9 and 11, which were previously withdrawn from consideration as being directed to non-elected species, should be rejoined and allowed pursuant to the guidelines in Manual of Patent Examining Procedure (MPEP) §821.04. More specifically, MPEP §821.04 states “In order to be eligible for rejoinder, a claim to a non-elected invention must depend from or otherwise require all of the limitations of an allowable claim.” Claims 7 and 9 depend from allowable claims 3 and 5, respectively. Claim 11 depended from claim 1, and now depends from allowable claim 3. Accordingly, because claims 7, 9 and 11 depend from allowed claim 3 or 5, it is submitted that these claims are eligible for rejoinder and allowance.

Application No. 10/620,350
Art Unit: 2621

Amendment under 37 C.F.R. §1.111
Attorney Docket No.: 030838

Claim Rejection-35 U.S.C. §102

Claim 1 was rejected under 3 U.S.C. §102(e) as being anticipated by **Naito et al.** (USP 6,430,224). In view of the cancellation of claim 1, it is submitted that the rejection under §102 is no longer applicable.

CONCLUSION

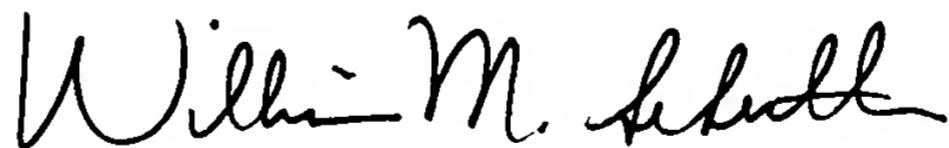
In view of the foregoing amendments and remarks, it is submitted that all pending claims are in condition for allowance.

If the Examiner believes that there are issues remaining to be resolved in this application, the Examiner is invited to contact the undersigned attorney at the telephone number indicated below to arrange for an interview to expedite and complete prosecution of this case.

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

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